



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Koskey

EXAMINER:

SERIAL NO.: 10/825,639

GROUP:

FILED: 04/15/2004

CASE NO.: KHI-0401

ENTITLED: Heated Pet Pad

Law Offices of Dale B. Halling  
24 S. Weber, Suite 311  
Colorado Springs, CO 80903  
September 29, 2004

Missing parts

Honorable Commissioner:

In the above referenced application, we submit a properly signed declaration, corrected drawings, and an assignment with clerical errors corrected. Enclosed is check for \$65 to cover small entity surcharge.

Respectfully submitted,

By

  
Dale B. Halling, Attorney for the Applicant

Phone: (719) 447-1990 Fax: (719) 447-0983

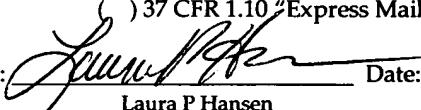
CERTIFICATE OF TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted to the Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 via the method checked below:

37 CFR 1.8(a) as first class mail with sufficient postage

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Laura P Hansen

Date:

9/29/04



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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

|  |                        |                      |            |
|--|------------------------|----------------------|------------|
|  |                        | Application Number   | 10/825,639 |
|  |                        | Filing Date          | 4/15/2004  |
|  |                        | First Named Inventor | Koskey     |
|  |                        | Art Unit             |            |
|  |                        | Examiner Name        |            |
| Total Number of Pages in This Submission | Attorney Docket Number | KHI-0401             |            |

## ENCLOSURES (Check all that apply)

|   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                              | <input checked="" type="checkbox"/> Drawing(s)                            | <input type="checkbox"/> After Allowance communication to Technology Center (TC)        |
| <input checked="" type="checkbox"/> Fee Attached                                      | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input type="checkbox"/> Amendment/Reply  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                                    | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                                    | <input type="checkbox"/> Change of Correspondence Address                 | <input type="checkbox"/> Other Enclosure(s) (please Identify below):                    |
| <input type="checkbox"/> Express Abandonment Request                                  | <input type="checkbox"/> Terminal Disclaimer                              |   |
| <input type="checkbox"/> Information Disclosure Statement                             | <input type="checkbox"/> Request for Refund                               |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                       | <input type="checkbox"/> CD, Number of CD(s) _____                        |   |
| <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application | <b>Remarks</b>  |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53          | Corrected assignment form, cover letter for missing parts                 |   |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |                                    |
|-------------------------|------------------------------------|
| Firm or Individual name | Law Office of Dale B. Halling, LLC |
| Signature               |                                    |
| Date                    | 9/29/04                            |

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |                 |              |
|-----------------------|-----------------|--------------|
| Typed or printed name | Laura P. Hansen |              |
| Signature             |                 | Date 9/29/04 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 65.00)

## Complete if Known

|                      |            |
|----------------------|------------|
| Application Number   | 10/825.639 |
| Filing Date          | 04/15/2004 |
| First Named Inventor | Koskey     |
| Examiner Name        |            |
| Art Unit             |            |
| Attorney Docket No.  | KHI-0401   |

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

|                        |  |
|------------------------|--|
| Deposit Account Number |  |
| Deposit Account Name   |  |

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION (continued)

### 1. BASIC FILING FEE

| Large Entity             | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description        | Fee Paid |
|--------------------------|--------------|---------------|---------------|------------------------|----------|
| 1001 770                 | 2001 385     |               |               | Utility filing fee     |          |
| 1002 340                 | 2002 170     |               |               | Design filing fee      |          |
| 1003 530                 | 2003 265     |               |               | Plant filing fee       |          |
| 1004 770                 | 2004 385     |               |               | Reissue filing fee     |          |
| 1005 160                 | 2005 80      |               |               | Provisional filing fee |          |
| <b>SUBTOTAL (1) (\$)</b> |              |               |               |                        |          |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
|              |                    |                    | -20** =      |                |          |
|              |                    |                    | - 3*** =     |                |          |
|              |                    |                    |              |                |          |

| Large Entity               | Small Entity | Fee Description  |
|----------------------------|--------------|--|
| 1202 18                    | 2202 9       | Claims in excess of 20                                     |
| 1201 86                    | 2201 43      | Independent claims in excess of 3                          |
| 1203 290                   | 2203 145     | Multiple dependent claim, if not paid                      |
| 1204 86                    | 2204 43      | ** Reissue independent claims over original patent         |
| 1205 18                    | 2205 9       | ** Reissue claims in excess of 20 and over original patent |
| <b>SUBTOTAL (2) (\$ 0)</b> |              |  |

\*\*or number previously paid, if greater; For Reissues, see above

### 3. ADDITIONAL FEES

| Large Entity                      | Small Entity | Fee Code (\$)             | Fee Code (\$) | Fee Description  | Fee Paid |
|-----------------------------------|--------------|---------------------------|---------------|--|----------|
| 1051 130                          | 2051 65      | 2051 65                   | 2052 25       | Surcharge - late filing fee or oath  | 65.00    |
| 1052 50                           | 2052 25      | 2053 130                  | 1053 130      | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1812 2,520                        | 1812 2,520   | 1804 920*                 | 1804 920*     | Non-English specification  |          |
| 1804 920*                         | 1804 920*    | 1805 1,840*               | 1805 1,840*   | For filing a request for ex parte reexamination                            |          |
| 1805 1,840*                       | 1805 1,840*  | 1251 110                  | 2251 55       | Requesting publication of SIR prior to Examiner action                     |          |
| 1251 110                          | 2251 55      | 1252 420                  | 2252 210      | Requesting publication of SIR after Examiner action                        |          |
| 1252 420                          | 2252 210     | 1253 950                  | 2253 475      | Extension for reply within first month                                     |          |
| 1253 950                          | 2253 475     | 1254 1,480                | 2254 740      | Extension for reply within second month                                    |          |
| 1254 1,480                        | 2254 740     | 1255 2,010                | 2255 1,005    | Extension for reply within third month                                     |          |
| 1255 2,010                        | 2255 1,005   | 1401 330                  | 2401 165      | Extension for reply within fourth month                                    |          |
| 1401 330                          | 2401 165     | 1402 330                  | 2402 165      | Extension for reply within fifth month                                     |          |
| 1402 330                          | 2402 165     | 1403 290                  | 2403 145      | Notice of Appeal   |          |
| 1403 290                          | 2403 145     | 1451 1,510                | 2404 165      | Filing a brief in support of an appeal                                     |          |
| 1451 1,510                        | 2404 165     | 1452 110                  | 2452 55       | Request for oral hearing   |          |
| 1452 110                          | 2452 55      | 1453 1,330                | 2453 665      | Petition to institute a public use proceeding                              |          |
| 1453 1,330                        | 2453 665     | 1501 1,330                | 2501 665      | Petition to revive - unavoidable   |          |
| 1501 1,330                        | 2501 665     | 1502 480                  | 2502 240      | Petition to revive - unintentional   |          |
| 1502 480                          | 2502 240     | 1503 640                  | 2503 320      | Utility issue fee (or reissue)   |          |
| 1503 640                          | 2503 320     | 1460 130                  | 1460 130      | Design issue fee   |          |
| 1460 130                          | 1460 130     | 1807 50                   | 1807 50       | Plant issue fee  |          |
| 1807 50                           | 1807 50      | 1806 180                  | 1806 180      | Petitions to the Commissioner  |          |
| 1806 180                          | 1806 180     | 8021 40                   | 8021 40       | Processing fee under 37 CFR 1.17(q)  |          |
| 8021 40                           | 8021 40      | 1809 770                  | 2809 385      | Submission of Information Disclosure Stmt                                  |          |
| 1809 770                          | 2809 385     | 1810 770                  | 2810 385      | Recording each patent assignment per property (times number of properties) |          |
| 1810 770                          | 2810 385     | 1801 770                  | 2801 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1801 770                          | 2801 385     | 1802 900                  | 1802 900      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1802 900                          | 1802 900     | 1803 180                  | 2803 385      | Request for Continued Examination (RCE)                                    |          |
| 1803 180                          | 2803 385     | 1804 900                  | 1804 900      | Request for expedited examination of a design application                  |          |
| 1804 900                          | 1804 900     | Other fee (specify) _____ |               |  |          |
| *Reduced by Basic Filing Fee Paid |              | <b>SUBTOTAL (3) (\$)</b>  |               |  |          |

(Complete if applicable)

|                   |                 |                                   |        |           |              |
|-------------------|-----------------|-----------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Dale B. Halling | Registration No. (Attorney/Agent) | 38,170 | Telephone | 719-447-1990 |
| Signature         |                 |                                   |        | Date      | 9/29/04      |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/825,639         | 04/15/2004             | Koskey                | KHI-0401               |

25007  
 LAW OFFICE OF DALE B. HALLING  
 24 s. WEBER ST., SUITE 311  
 COLORADO SPRINGS, CO 80903

CONFIRMATION NO. 9016  
 FORMALITIES LETTER



\*OC000000013416403\*



Date Mailed: 08/02/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

10/06/2004 LWONDIM1 00000026 10825639

01 FC:2051

65.00 DP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 1-4.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

*Hle*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE